



AHENSAN PRUTEKSION LINA'LA GUÅHAN

LOURDES A. LEON GUERRERO, GOVERNOR OF GUAM • JOSHUA F. TENORIO, LIEUTENANT GOVERNOR OF GUAM
WALTER S. LEON GUERRERO, ADMINISTRATOR

Guam Environmental Protection Agency
Board of Directors Meeting
Thursday, June 20, 2019 @ 4:00 pm
Main Office Conference Room

AGENDA

- I. Call to Order
- II. Approval of Agenda
- III. Approval of May 23, 2019 Minutes
- IV. Administrator's Report
- V. Old Business
 - Air Force Re Stipulated Request for Continuance – NOV #2019-001
 - PIEC Final update
 - RRF approval process status
- VI. New Business
 - Active NOV's
 - Andersen Air Force Base - Safe Drinking Water Program
 - Coco Palm Resort - Safe Drinking Water Program
 - Tsubaki Hotel/Nippo USA Inc. - Water Pollution Control Program
 - Lin's Hardware - Safe Drinking Water Program
 - Su & Zheng Corporation - Safe Drinking Water Program
 - Feiyang Construction & Engineering - Safe Drinking Water Program
 - Water Division policy updates**copies available upon request*
 - Lead Ban Act sampling fees
 - Permit exemption for percolation tests
 - Clarification of requirement for building plumbing system disinfection
- VII. Miscellaneous
- VIII. Next Meeting Date/Adjournment



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**Guam Environmental Protection Agency
Board of Director's Meeting
Thursday, June 20, 2019
Main Office Conference Room**

MINUTES

- I. **Call to Order:** Chairman Robert Perron called the Board of Director's meeting to order at 4:08 p.m.
The following individuals were present at the board meeting: **Board Members:** Robert Perron-*Chairman*, Terry Brooks-*Vice Chairman*, Steve Hollister, Moneka De Oro, Nicholas Pape, Steven Carbullido, Florida Sanchez and Steve Carrara **Guam EPA Staff:** Walter S. Leon Guerrero, *Administrator*; Arlene S Acfalle, Kristan Finney, Nic Rupley, Sabrina Cruz-Sablan, Conchita SN Taitano, Laura Kanai, Connie Afjelle, Brian Bearden and Jesse Cruz. **JACOBS Team:** Corey Hinds
- II. **Approval of Agenda:** *Vice Chair Brooks* made a motion to approve the agenda, seconded by *Director Sanchez*. All voted in favor and motion passed.
- III. **Approval of Minutes:** *Vice Chair Brooks* made a motion to approve the minutes, seconded by *Director De Oro*. All voted in favor and motion passed.
- IV. **Administrator's Report:** Administrator reiterated to Board of Directors the urgency of registering for the 30th Pacific Island Environmental Conference. *Administrator* advised Board that he was made aware by our Public Information Officer, Nic Rupley, of public law that requires that the Board of Directors provide a Performance Evaluation for the Administrator. This has not been done in the past therefore there is no existing form. A blank standard Performance Evaluation form was created and submitted to the Board for approval. *Administrator* advised if board approves the form, he has prepared a self-evaluation for review if Board is ready to move forward. *Chairman* advised the Board members that first order of business is to approve the format of PE or if they would like to make changes. *Nic:* It is public law that a performance evaluation be done for Administrator after 6 months of confirmation and every year thereafter. It was pointed out that June is the 6th month since confirmation of Administrator by our new administration. *Director Sanchez* asked that we will move this to "old business" on our next meeting that way everyone has a chance to review the form and self-evaluation. All agreed. *Vice Chair Brooks* made a motion to approve the form, seconded by *Director Carrera*. All voted in favor and motion passed. *Director Carbullido* inquired if a PE should be done on Board Secretary as well. *Kristen (Legal Counsel)* clarified that the PE's are not pertaining to salary increments but more so a provision that the board is required to perform a periodic review for the Administrator. They are not aware if this needs to be done for the Board Secretary as well.
- V. **Old Business:**
 - **Air Force Re: Stipulated Request for Continuance – NOV #2019-001** – Per Brian we are in agreement and trying to determine the fine. Invitation extended to Board of Directors for press conference on Tuesday, 06/25/19.
 - **PIEC Update:** Reported by Conchita- Board was advised of agenda for PIEC Conference. Uniform update by Sabrina. Calendar details also provided. GVB is assisting with welcoming committee.
 - **Status of RRF Approval Process** – Walter/Sabrina – approved by AG's office. Just need to work with Governor's Protocol Office

VI. New Business: Active NOV's presented by Brian

- *Smithbridge*: Permit expired in 2018 and citation was issued for operating without a permit. Order was given to cease work until Permit renewed. Proposed fine of \$125K due to Public Law 25-152 issued a maximum fine of \$125K. Back and forth conversation in regards to the regulations and the law regarding the cap of maximum fine. Director Brooks advised the Board to go to Legislative website to read more into the history of the bill and how it became public law.
- *Anderson Air Force Base* (Safe Drinking Water) Same NOV was discussed earlier and everyone up to date with this NOV.
- *Coco Palm Resort* (Safe Drinking Water) Issue was they didn't have a certified operator to treat potable water being trucked in. Violation was triggered by not doing testing on time.
- *Tsubaki Hotel/Nippo USA Inc.* (Water Pollution Control)-Final settlement is being prepared. Violation regarding erosion control standards. They were also fined by USEPA but we cited them for the same thing a year later.
- *Lin's Hardware* (Safe Drinking Water) – Lead Ban NOV. All uncertified fixtures have been taken off their shelves. They have submitted a notice of defense that may require a hearing. Schedule forthcoming.
- *Su & Zheng Corporation* (Safe Drinking Water) Lead Ban NOV. They pulled all uncertified fixtures, which was in violation, off the shelf and is now in compliance.
- *Feiyang Construction & Engineering* (Safe Drinking Water) Lead Ban NOV. They were very slow to comply but they have pulled all uncertified fixtures of the shelf. Inventory has not been submitted. May need to issue a fine.

Administrator: Our water division keeps stringent tabs on GWA to make sure the distribution system provides clean lead free water. The problem that we/Brian noticed is that we stopped doing our hardware store inspections, so this is now back in the process to make sure our Island is totally lead free.

Violation process was clarified by Administrator. "What normally takes place is if the entity is issued a NOV. The entity has the right to file a Notice of Appeal. When this happens the entity will present their case to the Board. If a hearing is required, a hearing officer will be appointed, to facilitate the hearing, and to hear the case of Guam EPA's and the entities and eventually judgment is made"

Water Division policy updates:

- *Lead Ban Act sampling fees*- No change in the regulation. Just wanted to update Board that we have started collecting the fees (by-law) when occupancy inspections are completed. Invoices are created by the inspector and attached to the package. Payments are made at Treasurer of Guam before the Occupancy Permit is released. **Hard copy of Policy available upon request**
- *Permit exemption for percolation tests* – We discovered that the percolation test was not being done. We waived the requirement for percolation test under certain conditions which is listed on Policy. **Hard copy of policy available upon request**
- *Clarification of requirement for building plumbing system disinfection* – Brian advised that Guam EPA has been requiring every building or home to have their plumbing system disinfected by a specialty contractor. Testing is examined by GEPA Inspectors and approved only if results come back negative of bacteria.

VII. Miscellaneous: Director De Oro inquired on Senator Regine Biscoe Lee's Plastic Bag Band Law. Administrator advised we have a two (2) year window. We will be addressing this issue after the PIEC Conference.

VIII. New Meeting Date/ Adjournment: Next meeting set for July 18th at 4pm.

Director De Oro made motion to adjourn meeting and seconded by Director Carbullido. All voted in favor and meeting adjourned at 5:45pm.



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SIGN IN SHEET

BOARD MEMBERS:

Robert Perron

Terrence Brooks

Florida Sanchez

Ann Roth

Steven Carrara

Steven Hollister

Moneka De Oro

Steven Carbullido

Nicolas Pape

Employees and visitors sign in here:

- | | |
|-------------------------------|--------------------------|
| 1. <u>Kristan K Finney</u> | 15. _____ |
| 2. <u>NIC Murphy</u> | 16. _____ |
| 3. <u>Alan Adams</u> | 17. _____ |
| 4. <u>[Signature] Sabrina</u> | 18. _____ |
| 5. <u>Unchita SN Tattaro</u> | 19. _____ |
| 6. <u>Cory Hinds</u> | 20. _____ |
| 7. <u>Laura Kanai</u> | 21. _____ |
| 8. <u>Connie Agler</u> | 22. _____ |
| 9. _____ | 23. _____ |
| 10. _____ | 24. _____ |
| 11. _____ | 25. _____ |
| 12. _____ | 26. _____ |
| 13. _____ | 27. <u>BRIAN BEARDEN</u> |
| 14. _____ | 28. <u>JESSE T. CRUZ</u> |

GUAM ENVIRONMENTAL PROTECTION AGENCY

AHENSIAŇ PRUTEKSION LINA'LA GUAHAN

BOARD OF DIRECTORS MEETING: Thursday • June 20, 2019 • 4:00PM



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Guam EPA Administration Conference Room
17-3304 Mariner Avenue Tiyan Barrigada, Guam 96913-1617

AGENDA: I. Call to Order; **II.** Agenda Approval; **III.** Approval of 05/23/19 Minutes; **IV.** Administrator's Report; **V.** Old Business: Air Force Regarding Stipulated Request for Continuance for NOV #2019-001, PIEC Final update, RRF approval process status; **VI.** New Business: Water Division policy updates, Lead Ban Act sampling fees, Permit exemption for percolation tests, Clarification of requirement for building plumbing system disinfection; **VII.** Miscellaneous; **VIII.** Next Meeting Date/Adjournment

Individuals requiring special accommodations, auxiliary aids or services should contact Guam EPA by calling 300.4751/9 or via email at arlene.acfalle@epa.guam.gov